

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2014

Robert P. Young, Jr.,
Chief Justice

147508

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

In re ESTATE OF GEORGE EUGENE STAN.

GEORGIANN STAN, Personal Representative of
the ESTATE OF GEORGE EUGENE STAN,
Petitioner-Appellant,

v

SC: 147508
COA: 309958
Wayne PC: 2011-770208-DE

CHRISTINE S. STAN,
Respondent-Appellee.

On order of the Court, the application for leave to appeal the June 20, 2013 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. (*dissenting*).


MCL 700.3905 provides that “a provision in a will purporting to penalize an interested person for contesting the will or instituting another proceeding relating to the estate shall not be given effect if *probable cause* exists for instituting a proceeding contesting the will or another proceeding relating to the estate.” (Emphasis added.) I would grant leave to appeal to consider whether the beneficiary of a will relying on this statutory exception to the enforcement of a no-contest clause can establish “probable cause” for a legal challenge if he or she did not ultimately prevail in the challenge.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2014


Clerk